

1 STEPHEN H. SUTRO (SBN 172168)
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2 **DUANE MORRIS LLP**
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6 Attorneys for Plaintiff
7 Lingualinx Language Solutions, Inc.
8
9

10 **UNITED STATES DISTRICT COURT**
10 **NORTHERN DISTRICT OF CALIFORNIA**

11 LINGUALINX LANGUAGE) Case No. CV-07-5575
12 SOLUTIONS, INC. a New York)
13 Corporation,) **AMENDED PROOF OF SERVICE**
14 Plaintiff,) **ON DEFENDANT ADRIENNE**
15 v.) **PARDINI MADE DECEMBER 19,**
16) **2007**
17 ADRIENNE PARDINI, an)
18 individual, and LOQMAN)
19 TRANSLATIONS, a division of)
20 LOQMAN COMMUNICATIONS)
21 GROUP, LLC,)
22 Defendants.)
23)
24)
25)

26 I, Brett L. Messinger, upon my oath, depose and say:
27
28

1 1. I am an attorney at law, admitted to practice before the courts of the
2 states of New Jersey, New York and Pennsylvania, and I am associated with the law
3 firm of Duane Morris LLP, which acts on behalf of Plaintiff LinguaLinx Language
4 Solutions, Inc. in the above case.
5

6
7 2. On December 7, 2007, a process server, *to wit*, Mr. Stephen Sabol,
8 Registered Process Server of the State of California, Registration No. 382, engaged
9 by the firm of Duane Morris LLP, after making various attempts to serve Ms. Pardini
10 with a copy of the summons and complaint, as detailed on the Status Report,
11 attached hereto as Exhibit A, served Ms. Pardini in the following manners:
12
13

- 14 • By serving the summons and complaint upon an unknown individual at
15 Ms. Pardini's place of business, as shown in the Affidavit of Mr. Sabol
16 attached hereto as Exhibit "B"; and filed at Clerk's Document 7;
17
18 • By leaving a copy of the summons and complaint at the residence of
19 Ms. Pardini, after the occupant, a male over the age of 18, refused to
20 accept the documents voluntarily, as shown in the Affidavit of Mr.
21 Sabol, attached hereto as Exhibit "C", and filed at Clerk's Document 7;
22
23 • By mailing a copy of the summons and complaint to Ms. Pardini's
24 residence, located at 5732 San Jose Avenue, Richmond, California, as
25 shown in the Affidavit of Mr. Sabol, attached hereto as Exhibit "D", and
26 filed at Clerk's Document 7.

27
28 3. On or about December 19, 2007, counsel for Defendant Ms. Pardini, *to
wit*, Jacob Sider, Esquire, of the law of Sommers Law Group, contacted me and
stated that he had a copy of the summons and complaint, but stated that it was his

opinion that the service upon the person at Ms. Pardini's address was not effective, and was subject to a motion to quash service of process.

4. In order to alleviate the filing of a motion to quash the service of process, which was threatened by Mr. Sider, it was agreed that: (1) the Sommers Law Group, on behalf of Ms. Pardini, would accept service of process as of December 19, 2007; and (2) that Pardini would have until January 10, 2008 to file an answer to the Complaint.

5. The agreement as stated in paragraph 4 of this Affidavit, was confirmed by Mr. Sider in his letter dated December 19, 2007, a true and correct copy of which is attached hereto as Exhibit E.¹

6. Accordingly, the Clerk is requested to enter upon the docket service on Defendant Pardini on December 19, 2007, with a response date of January 10, 2008.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct. Executed this 11th day of January, 2008.



Brett L. Messinger

¹ Since making the deal to accept service, another attorney of the Sommers Law Group, *to wit*, Stephen Sommers, Esquire, has attempted to renege on the agreement entered by Mr. Sider.

WHEELS OF JUSTICE, INC.

W2486630

657 Mission Street, Suite 1502, San Francisco, California 94105 Tel: (415) 546-6000 (fax) 546-6199

Attorney TERRANCE J. EVANS, ESQ.

Date November 1, 2007

Telephone (415) 957-3000

Court UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Fax (415) 957-3001

Plaintiff LINGUALINX LANGUAGE SOLUTIONS, INC.
Defendant ADRIENNE PARDINI
Case No. CV 07-5575 MMC

Atty File LINGUALINX LANGUAGE SOLUTIONS, INC.

D SUMMONS IN A CIVIL ACTION; COMPLAINT ; INITIAL
 o CASE MANAGEMENT SCHEDULING ORDER; CASE
 c MANAGEMENT CONFERENCE ORDER; NOTICE OF
 u AVAILABILITY OF MAGISTRATE JUDGE TO EXERCISE
 m JURISDICTION; CONSENT TO JURISDICTION BY A UNITED
 e STATES MAGISTRATE JUDGE; ADR PACKAGE; ECF
 n REGISTRATION
 t
 s

Attention Beth Coffey

Firm DUANE MORRIS LLP

One Market, Spear Twr, Suite 2000
San Francisco, California 94105

Serve: ADRIENNE PARDINI

Residence Address (1)

4701 San Leandro Street
Oakland, California 94601

LOQMAN TRANSLATIONS

Business Address (2)

5732 San Jose Avenue
Richmond, California

Bus Phone

STATUS REPORT

Hearing Date	Time		Dept			Last Date to Serve RUSH						
Description	Age	42	Hgt	5'10"	Race	Cauc	Wt	185	Sex	M	Hair	Brown
Service Date	12/7/07		Time	4:21 p.m.	Servers Name	Stephen			Sabol			

Report 11/03/07 8:45 a.m.

Male voice on message named Tom

11/04/07 9:40 a.m. No answer - dont' know apt #.

11/07/07 7:45 a.m. No answer on directory intercom

11/17/07 8:30 a.m. No answer - same voicemail

11/23/07 7:30 p.m. No answer - same voicemail

11/25/07 9:15 a.m. No answer - same voicemail

11/28/07 1:45 p.m. No answer - same voicemail

12/01/07 9:40 a.m. No answer - same voicemail

12/02/07 6:15 p.m. No answer - same voicemail

12/06/07 10:27 a.m. Per male occupant, says subject does not live here. She lives in Oakland. Did not want to give his name or his relation to subject. White jeep Liberty lic#SPJV576 in driveway. Attempted at 5732 San Jose Ave.

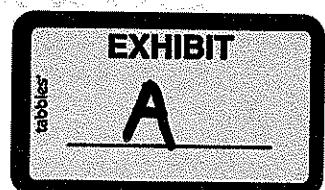
12/07/07 4:21 p.m.

Subserved "JOHN DOE" (42 yrs/5'10"/Cauc/185 lbs/M/Br hr) at the business address.

Attorney Check Attached

Thank you for using WHEELS OF JUSTICE, INC.

An invoice will follow with the Monthly Statement



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Attorney or Party Without Attorney (Name and Address)

TERRANCE J. EVANS, ESQ.
DUANE MORRIS LLP
One Market, Spear Twr, Suite 2000
San Francisco, California 94105

Attorneys for: LINGUALINX LANGUAGE SOLUTIONS, INC.

Insert name of court, judicial district and branch court, if any:

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Plaintiff:

LINGUALINX LANGUAGE SOLUTIONS, INC.

Defendant:

ADRIENNE PARDINI

PROOF OF SERVICE	Date:	Time:	Dept/Div:	Case Number:
				CV 07-5575 MMC

I, Stephen Sabol, Under penalty of perjury, hereby declare that I am and was on the dates herein mentioned, over the age of eighteen, and not a party to the within action;

I served the: SUMMONS IN A CIVIL ACTION; COMPLAINT ; INITIAL CASE MANAGEMENT SCHEDULING ORDER; CASE MANAGEMENT CONFERENCE ORDER; NOTICE OF AVAILABILITY OF MAGISTRATE JUDGE TO EXERCISE JURISDICTION; CONSENT TO JURISDICTION BY A UNITED STATES MAGISTRATE JUDGE; ADR PACKAGE; ECF REGISTRATION

in this action by personally delivering to and leaving with the following defendant or person on the date set opposite their respective names, a true copy thereof:

Defendant : ADRIENNE PARDINI

By Serving : "JOHN DOE" (42 yrs/5'10"/Cauc/185 lbs/M/Brn Hr), Occupant

Address : 5732 San Jose Avenue , Richmond, California

Date & Time : Friday, December 7, 2007 @ 4:21 p.m.

Witness fees were : Not applicable.

Person serving:

Stephen Sabol
Wheels of Justice, Inc.
657 Mission Street, Suite 502
San Francisco, California 94105
Phone: (415) 546-6000

a. Fee for service:

d. Registered California Process Server

- (1) Employee or independent contractor
- (2) Registration No.: 382
- (3) County: San Francisco
- (4) Expires: 1/9/09

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: December 10, 2007

Signature:

Stephen Sabol



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EXHIBIT

B

Case 3:07-cv-05575-MMC

Document 7 Filed 12/12/2007 Page 2 of 3

TERRANCE J. EVANS, ESQ.

DUANE MORRIS LLP

One Market, Spear Twr, Suite 2000

San Francisco, California 94105

Telephone: (415) 957-3000

Attorneys for: LINGUALINX LANGUAGE SOLUTIONS, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Plaintiff(s) : LINGUALINX LANGUAGE SOLUTIONS, INC.

Defendant(s) : ADRIENNE PARDINI

Hearing Date:
Time: Dept.

Invoice No. W2486680

DECLARATION RE DILIGENCE

Case No. CV 07-5575 MMC

I Stephen Sabol, and any employees or independent contractors retained by WHEELS OF JUSTICE, INC. are and were on the dates mentioned herein over the age of eighteen years and not a party to this action. Personal service was attempted on

ADRIENNE PARDINI

- (3) Alternate Address :
- (2) Business Address : 5732 San Jose Avenue, Richmond, California
- (1) Residence Address : 4701 San Leandro Street, Oakland, California 94601

<u>Date and time of attempt(s):</u>	<u>Reason for non-service:</u>	<u>Loc</u>
11/03/07	8:45 a.m.	No answer - male voice on message named Tom.
11/04/07	9:40 a.m.	No answer - don't know apt. #
11/07/07	7:45 a.m.	No answer
11/17/07	8:30 a.m.	No answer
11/23/07	7:30 p.m.	No answer - same voicemail
11/25/07	9:15 a.m.	No answer - same voicemail
12/01/07	9:40 a.m.	No answer - same voicemail
12/02/07	6:15 p.m.	No answer - same voicemail
12/06/07	10:27 a.m.	Per male occupant subject does not live there and lives somewhere in Oakland. He refused to give his name or relation to Adrienne. White Jeep Liberty license number CA5PJW576 on premises.
12/07/07	4:21 p.m.	Subserved "JOHN DOE" (42 YRS/5'10"/Cauc/M/185#/Brn Hr), Occupant. At the time of service, he refused to accept the documents voluntarily. I announced service and left the documents o ground in front of front door.

This Declaration is based upon business records maintained in the normal course of business. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on December 10, 2007

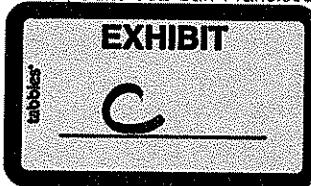
Signature:

Stephen Sabol



Printed on recycled paper

WHEELS OF JUSTICE, INC., 657 Mission Street, Suite 502 San Francisco, CA 94105 (415) 546-6000



Attorney or Party Without Lawyer Representing Party	Case 3:07-cv-05575-MMC	Document 7	Filed 12/12/2007 (415) 957-3000	Page 3 of 3 USE ONLY
TERRANCE J. EVANS, ESQ. DUANE MORRIS LLP One Market, Spear Twr, Suite 2000 San Francisco, California 94105				
Attorneys for: LINGUALINX LANGUAGE SOLUTIONS, INC.		Ref. No. Or File No.	W2486680	
Insert name of court, judicial district and branch court, if any:				
UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA				
Plaintiff:				
LINGUALINX LANGUAGE SOLUTIONS, INC.				
Defendant:				
ADRIENNE PARDINI				
POS BY MAIL	Hearing Date:	Time:	Dept/Div:	Court Number: CV 07-5575 MMC

At the time of service I was at least 18 years of age and not a party to this action.
On December 7, 2007, I served the within :

SUMMONS IN A CIVIL ACTION; COMPLAINT ; INITIAL CASE MANAGEMENT SCHEDULING ORDER; CASE MANAGEMENT CONFERENCE ORDER; NOTICE OF AVAILABILITY OF MAGISTRATE JUDGE TO EXERCISE JURISDICTION; CONSENT TO JURISDICTION BY A UNITED STATES MAGISTRATE JUDGE; ADR PACKAGE; ECF REGISTRATION

on the defendant in the within action by placing a true copy in a sealed envelope with postage fully prepaid for first class, in the United States mail at San Francisco, California, addressed as follows:

ADRIENNE PARDINI
5732 San Jose Avenue
Richmond, California

Person serving:
Scott Simons
Wheels of Justice, Inc.
657 Mission Street, Suite 502
San Francisco, California 94105
Phone: (415) 546-6000

- a. Fee for service:
- d. Registered California Process Server
 - (1) Employee or independent contractor
 - (2) Registration No.: 542
 - (3) County: San Francisco

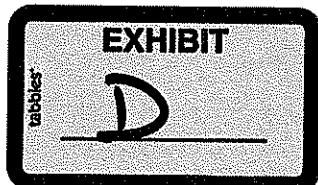
I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: December 10, 2007

Signature: 

Scott Simons

Judicial Council form, rule 982(a) (23)



S O M M E R S . L A W . G R O U P

December 19, 2007

VIA FAX (215) 979-1020 & U.S. MAIL

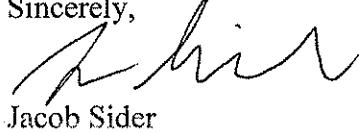
Brett L. Messinger, Esq.
Duane Morris, LLP
30 South 17th Street
Philadelphia, PA 19103

Re: LinguaLinx Language Solutions, Inc. v. Pardini, et al.

Dear Mr. Messinger,

I write to confirm our telephone conversation earlier today, in which: (1) you agreed to grant Defendant Adrienne Pardini an extension until January 10, 2008 to file her answer to the complaint in this matter; and (2) I agreed that Defendant Adrienne Pardini acknowledges having been served the complaint. Thank you very much, and have a good holiday.

Sincerely,



Jacob Sider

